

## **DELTA TOWNSHIP CEMETERIES**

### **RULES & REGULATIONS (Revised March, 2001)**

#### **INTRODUCTION**

The Charter Township of Delta (also referred to as Delta Township or Township), Eaton County, Michigan, through its Parks, Recreation and Cemeteries Commission, administers two Township cemeteries, Delta Center and Delta Hillside. The Parks, Recreation and Cemeteries Commission, hereinafter referred to as the "Commission", has adopted rules and regulations for these cemeteries to provide maximum protection to burial space owners and to best insure and preserve the beauty, orderly development and care of the cemeteries. The Commission reserves the right to make changes or alterations of the rules and regulations as may from time to time be deemed necessary. These rules and regulations contained herein are subject to any and all ordinances of the Township, now or hereafter placed in effect.

#### **DEFINITIONS**

##### **Commission**

The Commission is the Delta Township Parks, Recreation and Cemeteries Commission appointed by the Board of Trustees to oversee and recommend policy concerning the Township's parks, recreation programs and cemeteries.

##### **Director**

The Director is the Parks, Recreation and Cemeteries Department Director, responsible for the overall operation of the Department. This person, within his/her duties, has the responsibilities associated with Cemetery Sexton.

##### **Cemetery Supervisor**

Appointed by and under the supervision of the Director, is responsible for day to day operations of the Cemeteries, including but not limited to lot sales, grave openings and closings, enforcement of rules & regulations, contact with funeral directors, installation of monument/marker foundations, cemetery maintenance and public relations.

##### **Cemetery Plot**

The term cemetery plot or plot is an area of sufficient size to accommodate an interment.

##### **Cemetery Lot**

A cemetery lot or lot is an area of two or more cemetery plots.

## **Burial Space**

The term burial space is used herein to mean a single plot, lot, or group of plots or lots under the ownership of one person or family.

## **Marker**

A marker is a stone or plaque either flush or above the ground indicating the given and/or family name(s) of the deceased. It is located on the West side of the plot.

## **Monument**

A monument is a stone extending above the ground inscribed with the family name only. It is placed at a location approved by the Cemetery Supervisor or Director.

## **Immediate Family**

The immediate family is described as follows: spouse, parent, grandparent, children, and grandchildren of the original lot owner(s). The term is also to include "great" to the above where applicable.

## **GENERAL INFORMATION**

1. Delta Center and Delta Hillside Cemeteries are owned and operated by the Charter Township of Delta, under the direction of the Parks, Recreation and Cemeteries Department. The office for both cemeteries is located at the Delta Township Administration Building at 7710 West Saginaw Highway, Lansing, Michigan 48917. Office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday except on holidays. A complete system of ownership and burial records is maintained at this location. All information concerning the cemeteries including records, purchasing procedure, rules and regulations, arrangements for and cost of interment services, perpetual care, and other services may be obtained by visiting this office or by calling the Township Clerk's Office.
2. Cemetery Records - The cemetery office maintains records that include the following information: Name of lot owner, name of deceased, date of death, date of interment, place of death, funeral home/director, next of kin/responsible party for burial arrangements, type of vault, grave opening order by. All of the above information is available for burials taking place after 1-1-86. Information on burials prior to this date may be somewhat less.
3. Temporary rules/regulations - The Director and/or Supervisor shall have the right to establish temporary rules or make exceptions to existing rules whenever, in their judgement, the best interests of the cemetery demand it. These temporary rules or exceptions must be reported immediately to the Chairman of the Commission and Township Board of Trustees.

## **PERPETUAL CARE**

All burial spaces purchased in Delta Township Cemeteries after May 1, 1986 include the provision for perpetual care and such care is made a part and condition of each sale.

Thirty five percent (35%) of the purchase price of each burial space is placed in the Perpetual Care Fund, an endowment administered by the Township, from which the interest only shall be applied to offset the costs of cemetery maintenance and operation. This perpetual care includes the mowing and trimming of cemeteries at reasonable intervals, the seasonal cleaning of leaves and other debris and the regrading and seeding of graves. It therefore provides all the essential requirements of a well-kept cemetery without further expense to the lot owner. Additionally, the Perpetual Care Fund may be used for improvement and development within the cemeteries as deemed necessary by the Commission for the good of the Township Cemeteries.

Owners of burial space purchased before May 1, 1986 may assure that their spaces are included in perpetual care by contributing an amount equal to the current perpetual care portion of the purchase price of burial space. All burial space ownership transfers, except parent to children or grandchildren, will be required to pay the Perpetual Care fee at the time of the transfer.

Additional care and maintenance beyond that listed above, such as flower and shrubbery planting and care, will be provided on a time and material basis. This "Special Care" may be arranged by contacting cemetery personnel.

## **RULES AND REGULATIONS**

### **General Rules**

1. Alcoholic beverages are not permitted in the cemeteries except in conjunction with established burial customs.
2. Animals, except leader dogs, are not allowed in the cemeteries.
3. Advertising or posting of signs within the cemeteries is prohibited.
4. The carrying or use of firearms within the cemeteries is prohibited except in connection with burial ceremonies or by a duly authorized police officer.
5. No entrance into the cemeteries is to be gained except through established gates and only during established times.
6. The use of profane, loud, or boisterous language is prohibited.
7. The speed limit within all cemeteries is 10 miles per hour.
8. Driving off the established roadways within the cemeteries is prohibited.
9. All trash, trimmings, dead flowers, etc. are to be placed in containers provided.
10. Artificial flowers shall not be placed in the ground. They may be placed in an urn if they are properly secured. Artificial wreaths are not permitted from March 15 to November 1.
11. No glass, plastic or clay containers of any type are allowed within the cemeteries and will be removed immediately by cemetery personnel. The cemetery will not be responsible for returning same or its contents to the owner.
12. Persons may not park vehicles in the cemeteries for reasons not directly related to business within the cemeteries.
13. The use of recreational vehicles within the cemeteries is prohibited.

## **LOT PURCHASING AND TRANSFERS**

Persons desiring to purchase burial spaces are invited to contact the office so an appointment may be made to select the site with the aid of cemetery staff. Prospective owners are urged to purchase burial spaces before the immediate need exists, when clear, unhurried judgement will insure a good choice. If possible, avoid the necessity of choosing burial space in the wintertime when ground is covered with snow.

1. Every burial space is sold subject to the rules and regulations currently in force or that may be hereinafter adopted and to such changes of the present rules as deemed necessary by the Commission.
2. Upon purchase of burial space, the owner will be issued a burial right certificate which entitles the owner and their heirs, forever, to burial rights of only the human race, subject to the rules and regulations hereinafter in effect.

3. Burial space shall not be purchased for speculative purposes or for resale to third parties not defined as immediate family members.
4. Burial space is exempt from property taxes and cannot be seized on execution. No mortgage or other encumbrance can be given on any burial space.
5. When burial space is purchased by more than one person other than a husband and wife, each person's interest shall be identified on the burial rights certificate. The Township will not hold itself liable, or record any private agreements under such ownership.
6. When a person has purchased burial space as a non-resident or a renter and later becomes a landowner, no refund of the purchase price will be made.
7. Burial space ownership may be transferred to children and grandchildren without charge.
8. Transfer of burial space ownership to those other than #7 listed above will be subject to a transfer fee plus the difference in current burial space costs as determined by residency status. In no case shall a refund be made due to these transfers. In all cases the transfer fee will be in effect.
9. Payment of the Perpetual Care Fee is required when burial space is resold or transferred, unless prior payment for Perpetual Care has been made.
10. Delta Township may repurchase unused burial space from the owner at the rate of 65% of the original purchase price.
11. All transfers of burial rights shall be made through the Township Clerk's Office. No other transfers of ownership or rights thereto will be recognized by the Township.
12. The exchange of lots may be allowed upon written request to the Commission and only when due cause as deemed by the Commission has been determined and only when the appropriate fee has been paid.
13. Burial rights may revert to the Township for cemetery plot, lot or burial space that remains unused for a period of fifty (50) years.

## **INTERMENTS & DISINTERMENTS**

Instructions for ordering grave openings have been given to area funeral directors. If your funeral director does not have these instructions contact this office for instructions. Generally, orders must be received at least 8 working hours in advance of the funeral services. Below is a listing of rules that the burial space owner and funeral directors should be aware of.

1. No burial shall take place unless the lot purchase price, the cost of any services required to open or close the plot, and all other fees and charges have been satisfied in full.
2. Delta Township shall not be responsible for errors in location of burial space arising from improper instructions from the burial space owner. Orders from funeral directors shall be construed as orders from owners.
3. Funerals arriving shall be **scheduled** for arrival to the cemetery prior to 4:00 p.m. Any late arrivals will be assessed an additional charge of \$100.00.
4. No funerals will be allowed on Sundays or the following Holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas. Burials that are ordered for other Township-recognized holidays shall be charged at the Saturday rate.
5. A copy of the Burial Transit Permit shall be required for all burials including cremains.
6. All burials shall be that of the lot owner or his/her immediate family. All other burials shall be subject to lot ownership transfer and those fees associated with such transfer.

7. No more than one burial may be made per plot, except in the case of mother/infant or twin children buried at the same time or a regular burial and a cremation or two cremations of the immediate family.
8. No burials shall be allowed for other than human remains.
9. All burials shall be in metal or concrete vaults, or concrete rough boxes, except for cremations and infant burials in a casket size of 2 feet 6 inches or less. Only authorized firms shall install all vaults and rough boxes.
10. Vault firms are responsible for damage to turf, landscape, surrounding markers and monuments and shall provide necessary planking to protect the turf - even if cemetery staff assists in vault installation.
11. All funeral processions in the cemeteries are under the supervision of cemetery employees.
12. All interments and disinterments shall be performed by cemetery employees.
13. If the cemetery being used has a chapel for funeral services it is recommended that it be used during inclement weather; however, it is not mandatory. Delta Township does reserve the right to require the use of the chapel during times when weather conditions may make graveside services impracticable or unsafe.
14. Scattering of cremains over a family lot or anywhere in the cemetery is prohibited.
15. Disinterment or transfers may be permitted for due cause and then only with permission of the Health Department or by court order.
16. Graves cannot be opened for inspection except under court order.
17. Cemetery staff will remove funeral designs and floral pieces as soon as they become unsightly, and assumes no responsibility for their return.

## **MONUMENTS & MARKERS**

1. All monuments or markers shall be made of durable granite or bronze. Other materials such as marble, wood or steel are not permissible.
2. Markers and monuments shall not be smaller than 16 inches by 8 inches in base size nor shall they exceed 40 inches in length for single burial space, 90 inches in length for double space or 18 inches in width. Height shall not exceed 38 inches, including the base, without approval of the Cemetery Committee of the Commission.
3. No more than one monument shall be placed on a lot and no more than one above ground marker shall be placed on a plot.
4. Certain sections of each cemetery are designated as flush marker and monument only. The Township assumes no responsibility for assuring that ordered markers and monuments are proper for the area they are to be placed and for name placement location on the marker.
5. Inscriptions on markers and monuments must not be offensive or improper as judged by the Director. The owner of said monument or marker shall be responsible for all expenses for removal of same upon due notice.
6. Foundation orders must state the length, width and height of the marker. It is highly recommended that the foundation order be placed before or at the same time that the marker is ordered from the manufacturer.
7. Monuments and markers shall not be delivered to lots until foundations have been installed and paid for. Orders for foundations shall be placed a minimum of two weeks in advance. Foundations will not be poured during the winter months.

8. All foundations must be paid for in advance.
9. Monument companies are responsible for all damages to cemetery ground and surrounding monuments and markers occurring during their installation.
10. All foundation installation fees are based on square inch area with a minimum charge in effect.
11. The Township assumes no responsibility for damage to markers or monuments whatsoever, including regular cemetery maintenance.
12. Mausoleums and crypts are prohibited in Delta Township Cemeteries.

#### **LOT CARE, MAINTENANCE AND IMPROVEMENTS**

1. Regular maintenance of turf, shrubbery and trees shall be performed only by cemetery personnel.
2. The planting of trees and shrubbery shall be done only after approval of the Director or Supervisor as to species, variety, location and time of planting.
3. Flowers shall be planted within 12 inches in all directions of the monument or marker and under no circumstances will such plantings be allowed outside the boundaries of the owner's burial space(s).
4. Structures of wood or other equally perishable material, fences, curbs, hedges and coping are prohibited.
5. The placing of stone, limestone, woodchips, etc. anywhere within cemetery lots is prohibited.
6. Urns not filled by June 15 of each year may be removed and if not claimed by the owner within 60 days are considered abandoned and may be disposed of by the Township without liability.
7. Glass, clay, or plastic pots or containers of any type are not allowed and will be removed immediately by cemetery personnel with no responsibility for return of same or its contents.
8. Chairs, settees, and benches on lots are not permitted without prior approval of the Director or his designee.
9. Lot corner posts shall be installed by cemetery personnel flush with the ground at the owner's expense.
10. The mounding of graves is prohibited.
11. Grave blankets and other types of winter decorations shall not be placed before November 1 and shall be removed by March 15.
12. The Township reserves the right to remove, and dispose of without notice to the owner, any unsightly, deteriorated, neglected, or prohibited items except monuments or markers.